

labels, set forth above, misled and deceived the purchaser into the belief that the product was cognac flavored cordial and was aged in a United States bonded warehouse, whereas, in truth and in fact, it was not a genuine cognac flavored cordial but was an imitation of cognac flavored cordial and was not aged in a United States bonded warehouse as claimed on said labels.

The second brand was labeled: (Main label) "Family Trade Banana Flavored Cordial artificially colored. Pure Food Distilling Co. St. Louis, Mo." (Neck label) "Aged in U. S. Bonded Warehouse."

Analysis of a sample of this product by said Bureau of Chemistry showed the following results:

Specific gravity at 15.56° C.....	1.0323
Proof (degrees).....	68.54
Solids (per cent).....	18.74
Reducing sugars as invert:	
Direct (per cent).....	3.96
After inversion (per cent).....	18.93
Sucrose (by copper) (per cent).....	14.22
Polarization, invert at 87° C. (°V.).....	0
Glucose.....	None.
Ash (per cent).....	0.011
Alkalinity of ash (cc N/10 acid per 100 cc).....	1.04
Aldehydes as acetic (parts per 100,000 100° proof).....	9.5
Esters (parts per 100,000 100° proof).....	27.84
Fusel oil (parts per 100,000 100° proof).....	16.13
Furfural (parts per 100,000 100° proof).....	0.24
Acidity (parts per 100,000 100° proof).....	42.36
Color insoluble amyl alcohol (per cent).....	80

Adulteration of this product was alleged in the information for the reason that it was labeled and sold as banana flavored cordial and another substance, to wit, neutral spirits artificially colored and flavored, had been substituted wholly or in large part for the article, to wit, banana flavored cordial. Misbranding was alleged for the reason that the statements, "Banana Flavored Cordial" and "Aged in U. S. Bonded Warehouse," which appeared on the labels, were false and misleading because the product was not a genuine banana flavored cordial but was an imitation cordial prepared essentially from neutral spirits artificially colored and flavored, and was not aged in a United States bonded warehouse, and was further misbranded in that it was an imitation of banana flavored cordial and was offered for sale under the distinctive name of another article, to wit, banana flavored cordial, and was further misbranded in that it was so labeled and branded as to mislead the purchaser thereof, being labeled and branded as set forth above, which form of labeling misled and deceived the purchaser because the product was not a genuine banana flavored cordial, but was an imitation cordial composed essentially of neutral spirits artificially colored and flavored, and, furthermore, was not aged in a United States bonded warehouse.

On October 21, 1913, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$100 with costs of \$21.68.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *March 30, 1914.*

**2931. Adulteration and misbranding of beer. U. S. v. Eastern Oregon Brewing Co. Plea of guilty. Fine, \$25.** (F. & D. No. 4607. I. S. No. 15991-d.)

On October 21, 1912, the United States attorney for the district of Oregon, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States for said district an information against the Eastern Oregon Brewing Co., a cor-

poration, The Dalles, Oreg., alleging shipment by said company, in violation of the Food and Drugs Act, on or about March 20, 1912, from the State of Oregon into the State of Washington, of a quantity of so-called Heidelberg beer which was adulterated and misbranded. The bottles containing the product were labeled: (Neck label) "Heidelberg." (On main label) "Heidelberg The Prince of Pilsener Old Style Beer Made The Old German Way Brewed from the choicest Malt and Hops and Bottled by Eastern Oregon Brewing Co., The Dalles, Oregon, U. S. A. (Reg. Guar)."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed the following results:

Alcohol (per cent by volume).....	4.20
Extract (per cent by weight).....	5.15
Extract, original wort (per cent by weight).....	13.87
Degree fermentation (per cent).....	48.45
Volatile acid as acetic (grams per 100 cc).....	0.009
Total acid as lactic (grams per 100 cc).....	0.144
Maltose (grams per 100 cc).....	2.07
Dextrin (grams per 100 cc).....	2.10
Ash (grams per 100 cc).....	0.146
Protein (grams per 100 cc).....	0.283
P <sub>2</sub> O <sub>5</sub> (grams per 100 cc).....	0.054
Undetermined (grams per 100 cc).....	0.55
Polarimeter (°V. undiluted).....	34.0
Color (Lovibond $\frac{1}{4}$ inch cell).....	2

Adulteration of the product was alleged in the information for the reason that the statement "Brewed from the Choicest Malt and Hops" was calculated to and did convey to intending purchasers the idea that the product was brewed from the choicest malt and hops and no other article, whereas, in truth and in fact, a substance, to wit, a cereal product other than malt, was substituted in whole or in part for malt. Misbranding was alleged for the reason that the labels and brands upon each of the bottles of the product were false and misleading, and the product was misbranded in that the statement and label, "Brewed from the Choicest Malt and Hops," was calculated to and did convey to intending purchasers of the product the idea that it was brewed from no other articles than malt and hops, whereas, in truth and in fact, it was brewed and produced in part from a cereal product other than malt.

On May 5, 1913, the defendant company entered a plea of guilty to the information and the court imposed a fine of \$25.

B. T. GALLOWAY, *Acting Secretary of Agriculture.*

WASHINGTON, D. C., *March 30, 1914.*

**2932. Adulteration and misbranding of ginger cordial. U. S. v. John Burke Importing Co. Plea of guilty. Fine, \$25. (F. & D. No. 4608. I. S. No. 13781-d.)**

On June 2, 1913, the United States attorney for the Southern District of New York, acting upon a report by the Secretary of Agriculture, filed in the district court of the United States for said district an information against the John Burke Importing Co., a corporation, New York, N. Y., alleging the sale by said defendant company, on October 11, 1911, of a quantity of adulterated and misbranded ginger cordial under a written guaranty that the same was not adulterated or misbranded within the meaning of the Food and Drugs Act of June 30, 1906, and that the said product was thereafter shipped by the purchaser from the State of New York into the State of New Jersey. The product was labeled: "Ginger Cordial made from pure Ginger Root. Invaluable in cases of Gastric Cramps and Indigestion."

Analysis of a sample of the product by the Bureau of Chemistry of this department showed that it contained alcohol, the presence and quantity of which was not stated, and, further that capsicum had been substituted in part for ginger. Adulteration of